

SEAC Written Public Comment regarding IEP Parent Statement:

My son is autistic and attends Horizon elementary. Horizon has been an amazing place for him, we have had a fantastic relationship with the school and have been able to address many aspects of my son's education and development in a collegial and cooperative manner.

Our family, however, is very concerned about the new Parent Statement that has been added by LCPS to the IEPs. Like many of you, last week we had our IEP meeting to make adjustments for the virtual learning environment. The meeting went very well, and we were able to come to agreeable terms with the school. But the IEP has yet to be signed because we object to the Parent Statement.

Briefly, the Parent Statement is vague and ambiguous, both to its terms and duration. To cite to just one example, it allows for changes during "pandemics," without defining a pandemic or delineating who has the authority to declare one that would initiate that clause of the Parent Statement. It also provides authority for LCPS to make unilateral and arbitrary changes without parent consent. And it potentially shields LCPS from certain types of liability, perhaps including providing compensatory services in the event it fails to provide FAPE. To the extent that the language is designed, in part, to assist schools by not requiring new IEPs for every potential schedule change this year (e.g., transitioning from all virtual to hybrid), its operative language is much broader and deeper, and it is not delineated to any specific time frame and it does not expire, meaning it will continue to apply to IEPs well after the current national COVID-19 crisis has passed.

To the extent I am aware, there is no law, statute, regulation, legal decision, or school board decision that compels its inclusion. Nor does its language allowing LCPS to make unilateral changes to an agreed upon IEP "[d]espite any other statement in the IEP to the contrary" advance agreed-to goals in the IEP. That means LCPS is not adding it because it is required or it assists our children, but for other motives and at risk to our children.

I am aware that we are not the only family in LCPS who is concerned with the language and are refusing to sign. Last night, myself and another parent made brief public comments at the School Board meeting on this topic. While the members are now aware of the issue, some likely do not understand how significant the Parent Statement can affect hard-earned rights for our children, and likely will hear from the LCPS Administrators who will argue instead that the statement is proper and appropriate. So, it is critical that everyone here contact their School Board representatives, let them know your concerns, and request that the School Board work to have the new Parent Statement removed, and the prior one reinserted. Thank you for your time.

Regards,
Scott Levin